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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,143	12/07/2001	Hugues Cheron	111393	8069

25944 7590 09/11/2002

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EXAMINER

NEGRON, ISMAEL

ART UNIT PAPER NUMBER

2875

DATE MAILED: 09/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/005,143

Applicant(s)

CHERON ET AL. 

Examiner

Ismael Negron

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Title

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: **Motor Vehicle Body Panel with Integral Light Unit.**

Abstract

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it uses phrases that can be implied. Correction is required. See MPEP § 608.01(b).

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "16" has been used to designate both "*piece of bodywork*" (page 7, line 37) and "*bumper corner*" (page 8, line 4). In addition, note reference character "16", used to designate "*bumper corner*" (page 10, line 34) and "*piece of bodywork*" (page 11, line 2). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The applicant is advised that the reference characters must be properly applied, with no single reference character being used for two different parts or for a given part and a modification of such part. See MPEP §608.01(g). Correction is required.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "3" has been used to designate different parts in different embodiments. See Figures 1-3 and 6. Correction is required.

In addition, note the following:

- reference character "5" in Figures 2 and 3;
- reference character "7" in Figures 2 and 3;
- reference character "8" in Figures 2 and 3;

- reference character "9" in Figures 2 and 3;
- reference character "9a" in Figures 2 and 3; and
- reference character "21" in Figures 2-5 and 9.

5. This application has been filed with informal drawings (Figures 10-12) which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

6. Applicant is further advised that this action only exemplifies the objections to the drawings, applicant's cooperation is requested in correcting all the occurrences of the cited, or any other errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-5 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Jones et al. (U.S. Pat. 5,850,803).

Jones et al. discloses a motor vehicle having:

- **a vehicle body panel**, Figure 1, reference number 14;
- **a light unit**, Figure 1, reference numbers 28 and 30;

- **the vehicle body being made of a plastic material**, column 2, line 36;
- **the light unit having a housing**, Figure 3, reference number 36;
- **a transparent lens closing the housing**, Figure 3, reference number 34;
- **the transparent lens being for allowing light emitted by the light unit to be diffused out of the housing**, column 3, lines 24-26;
- **the body panel forming at least part of the lighting unit**, column 3, lines 26-28;
- **the body panel forming the housing**, column 3, lines 36-28;
- **the transparent lens being fixed to the housing**, column 3, lines 28-37;
- **the transparent lens being snap-fastened to the housing**, Figure 3;
- **the transparent lens including an annular skirt**, Figure 3, reference number 40;
- **the housing including a peripheral groove**, Figure 3, reference number 44;
- **a gasket**, Figure 3, reference number 42;
- **the gasket being disposed at the bottom of the peripheral groove**, column 3, lines 30-33;

- **the annular skirt being received in the peripheral groove by the gasket**, column 3, lines 30-33; and
- **the housing being made in part by the body panel**, column 3, lines 26-28.

8. Claims 1-5 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Jones et al. (U.S. Pat. 5,850,803).

Jones et al. discloses a motor vehicle having:

- **a vehicle body panel**, Figure 1, reference number 10;
- **a light unit**, Figure 1, reference number 11;
- **the vehicle body being made of a plastic material**, column 2, lines 39-75;
- **the light unit having a housing**, Figure 1, reference number 11;
- **a transparent lens closing the housing**, Figure 1, reference number 9;
- **the transparent lens being for allowing light emitted by the light unit to be diffused out of the housing**, column 1, lines 54-72; and
- **the transparent lens being formed by the body panel**, column 1, lines 54 and 55.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (U.S. Pat. 5,850,803).

Jones et al. discloses a motor vehicle having:

- **a vehicle body panel**, Figure 1, reference number 14;
- **a light unit**, Figure 1, reference numbers 28 and 30;
- **the vehicle body being made of a plastic material**, column 2, line 36;
- **the light unit having a housing**, Figure 3, reference number 36;
- **a transparent lens closing the housing**, Figure 3, reference number 34;
- **the transparent lens being for allowing light emitted by the light unit to be diffused out of the housing**, column 3, lines 24-26;
- **the body panel forming at least part of the lighting unit**, column 3, lines 26-28; and
- **the transparent lens being fixed to the housing**, column 3, lines 28-37.

Jones et al. discloses all the limitations of the claims, except the light unit having light emitting diodes (LED) as the light sources.

The examiner takes Official Notice that the use of LEDs is old and well known in the illumination art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute an LED for the light source in the system of Jones et al.. One would have been motivated since LEDs are recognized in the illumination art to have many desirable advantages, including reduced size, high efficiency, low power consumption, long life, resistance to vibrations, and low heat production, over other light sources.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (U.S. Pat. 5,850,803) in view of Bals et al. (U.S. Pat. 4,750,093).

Jones et al. discloses a motor vehicle having:

- **a vehicle body panel**, Figure 1, reference number 14;
- **a light unit**, Figure 1, reference numbers 28 and 30;
- **the vehicle body being made of a plastic material**, column 2, line 36;
- **the light unit having a housing**, Figure 3, reference number 36;
- **a transparent lens closing the housing**, Figure 3, reference number 34;

- **the transparent lens being for allowing light emitted by the light unit to be diffused out of the housing**, column 3, lines 24-26;
- **the body panel forming at least part of the lighting unit**, column 3, lines 26-28;
- **the transparent lens being fixed to the housing**, column 3, lines 28-37;
- **the transparent lens being snap-fastened to the housing**, Figure 3;
- **a gasket**, Figure 3, reference number 42; and
- **the gasket sealing the transparent lens against the housing**, column 3, lines 34-38.

Jones et al. discloses all the limitations of the claims, except the housing including a vent.

Bals et al. discloses a vehicle headlamp having ;

- **a light source**, Figure 1, reference number 6;
- **a lens**, Figure 1, reference number 2;
- **a reflector**, Figure 1, reference number 1;
- **an interior space**, Figure 1, reference number 13;
- **a vent**, Figure 1, reference number 11; and
- **the vent being for communicating the interior space with the atmospheric air**, column 4, lines 1-4.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the vent of Bals et al. in the light unit structure of Jones et al. to prevent the interior of the light unit to accumulate moisture, as per the teachings of Bals et al. (see column 1, lines 38-44).

Relevant Prior Art

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ford Motor Company (G.B. Pat. 1,168,352) and **Heim et al.** (U.S. Pat. 6,102,470) disclose vehicle body panel with integrally made lighting units.

Nakajima et al. (U.S. Pat. 4,251,103), **Savell** (U.S. Pat. 4,270,787), **Furuta et al.** (U.S. Pat. 5,066,057) and **Vogelgesang** (U.S. Pat. 5,288,117) disclose vehicle body panel with lighting unit integrated to such body panels by fastening means

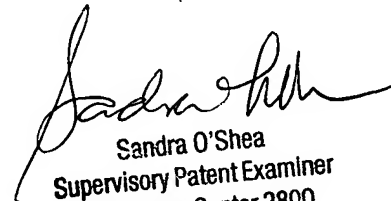
Suzuki (U.S. Pat. 4,809,144), **Hurley et al.** (U.S. Pat. 4,937,710) and **Nagengast et al.** (U.S. Pat. 5,251,111) disclose vehicle headlamp having ventilations means.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negrón whose telephone number is (703) 308-6086. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (703) 305-4939. The facsimile machine number for the Art Group is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800

Inr

September 6, 2002